we have got; and here is an amendment to the Consti-tution embracing the whole question, so far as the States and the public lands of the United States are

concerned.

I am as much for compromise as any one can be; and I am as much for compromise as any one can be; and there is no one who would desire more than myself to see peace and prosperity restored to the land; but when we look at the condition of the country, we find that rebellion is rife; that reason has reared its head. A distinguished Sensior from Georgia once said, "When traiters become numerous enough, treason becomes

we look at the condition of the country,
rebellion is rife; that reason has reared its bead. A
rebellion is rife; that reason has reared its bead. A
distinguished Sensfor from Georgia once said, "When
distinguished Sensfor from Georgia once said, "When
distinguished Sensfor from Georgia once said, "When
that I suppose treason has almost got to be respectsow that I suppose treason has almost got to be respectsow that I suppose treason has almost got to be respectsow that I suppose treason has almost got to be respectsow that I suppose treason has almost got to be respectsolve that I suppose treason has almost got to be respectsolve that I suppose the got got got got got
or was allowed to be got got got
or was constructed by our fathers. I intend to continue it
to the end. [Applause in the galleries.]

The President pro tempore—Order.

Mr. JOHNSON, of Tennessee—Mr. President, we are
in the midst of a civil war; blood has been shed; life
has been sacrificed. Who commenced it? Of that
we will speak hereafter. I am speaking now of the
salt about compromise. Traitors and rebels are standing with arms in their hands, and it is said that we
must go forward and compromise with them. They
are in the wrong; they are making war upon the Govermment; they are trying to upturn and destroy our
free institutions. I say to them that the compromise
I have to make under the existing circumstances is,
"gound your arms; obey the laws; acknowledge the
supremacy of the Constitution—when you do that, I
supremacy of the Constitution—when you do that, I
supremacy of the Constitution—when you do
that, I appremacy of the United States. It is one of the best
compromises that can be made. We lived under it from
1789 down to the 20th of December, 1860, when South
Carolina undertook to go out of the Union. We prospered; we advanced in wealth, in commerce, in agriculture, in trade, in manufactures, in all the arts and
siences, and in religion, more than any people upon
the face of God's earth had ever done before in the
same

you in all your rights.

But it is said that we had better divide the country and make a treaty and restors peace. If, under the Constitution which was framed by Washington and Madison and the patriots of the Revolution, we cannot Madison and the patriots of the Revolution, we cannot live as brothers, as we have in times gone by, I ask can we live quietly under a treaty, separated as enemies? The same causes will exist; our geographical and physical position will remain jost the same. Surpose you make a treaty of pence and division: if the same causes of division continue to exist, and we cannot live as brothers in fraternity under the Constitution made by our fathers, and as friends in the same Government, how can we live in peace as alians and essenties under a treaty? It cannot be done; it is immunicipable.

But, Mr. President, I concur fully with the distinput, Mr. Preeident, I concur fully with the distinguished Senator from Kentucky in the distinct present by him to a change in the form of our Government. He seemed to be apprehensive of a dictatorship. He feared there might be a change in the nature and character of our institutions. I could, if I chose, refer to many proofs to establish the fact that there has been a dainy to change the nature of our Government. gn to change the nature of our Government. I refer to Mr. Rhett: I could refer to Mr. Inglis;

a design to change the nature of our Government. I could refer to Mr. Rhett: I could refer to Mr. Inglis; I could refer to various others to prove this. The Montgomery Daily Advertiser, one of the organs of the so-called Southern Confederacy, says:

"Has it been a precipitate revolution? It has not. With coolness and deliberation the subject has been thought of for forty years, for ten years it has been the all absorbling theme in political circles. From Maine 4: Mexico all the different phases and forms of the question have been presented to the people, and forms of the question have been presented to the people, and forms of the question have been presented to the people, and nothing else was thought of, nothing else spotes: of, and nothing else taught in many of the political schools."

This, in connection with other things, shows that this movement has been long contemprised, and that the idea has been to separate from and break up this Government, to change its nature and character; and now, after they have attempted the separation, if they can succeed, their intention is to subjugute and overthrow and make the other States submit to their form of government.

of government.
To carry out the idea of the Senator from Kentucky, show that there is conclusive proof of

I want to show that there is contained proof of design to change our government.

I quote from The Georgia Chronicle:

Our own republican Government has falled midway in its tisk, and with it have nearly vanished the hopes of those philanthrophists who, believing in man's espacity for self-gernment, believed therefore, in spite of so many failures, in the practicability of a republic, and the practicability of a republic.

the practicability of a republic."

"If this Government has gone down," asks the citor, "what shall be its substitute?" And he sawers by saying that, as to the present generation, "it seems their only resort must be to a con-I monarchy." Hence you see the Senator of begin to agree in the proposition that the id character of the Government are to be changed.
William Howard Russell, the celebrated correspond-

William Howard Russent, the cenerated correspondent of The London Times, spent some time in South Carolinn, and be writtes:

"from all quoters have come to my ears the echoes of the same voice; it may be frighted but there is no discord in the note, and it sounds in wonderful strength and monotony all over the country. Shades of discregalith, on North, of Johnson of all the country. Shades of discregalith, on North, of Johnson of all the country.

liceraine, preeminently distinguish the inhabitants of this State, "Ac. This idea was not confined to localities. It was extensively prevalent, though policy prompted its occasional repudiation. At a meeting of the people of Bibb County, Georgia, the subject was discussed, and a constitutional monarchy was not recommended for the Southern States, "as recommended by some of the advocates of immediate disantion." Here is evidence that the public mind had been sought to be influenced in that direction; but the people were not prepared for it. Mr. Toombs of Georgia, during the delivery of a speech by Mr. A. H. Stephens, before the Legislature of that State, did not heastate to prefer the form of the British Government to our own.

Not long since—some time in the month of May—I read in The Richmond Whig, published at the place where their Government is now operating, the center from which they are directing their armies which are making war upon this Government, an article in which it is stated that rather than submit to the Administration now in power in the City of Washington, they would prefer passing under the constitutional reign of the aminable Queen of Great Britain. I agree, therefore, with the Senator from Kentucky, that there is a desire to change this Government. We ree it emanating from every point in the South. Mr. Toombs was 50% willing to wait for the movement of the people. Mr. Stephens, in his escech to the Legislature of Georgia, preferred the calling of a Convention; but Mr. Toombs was unwilling to wait. Toombs replied: "I will not wait; I will take the sword in my own hand, diseggarding the will of the people, even in the shape of a Convention," and history will record that he keyt his word. He and others had become tired and dissatisfied with a government of the people; they have lost confidence in man's capacity for self-government; and furthermore, they would be willing to form in alliance with Great Britain; or, if Great Britain Sir, I love woman, and wonards reign in the hight right place; b

opened in The Memphis Bulletin of my own State, from which it appears that under this reign of Seces-sion, this reign of terror, this disintegrating element

that is destructive of all good, and the accomplisher of nothing that is right, they have got things beyond their control:

"In times like these, there must be one roling power to which all others must yield. "In a multitude of counselors," saith the Book of Books, 'there is sefety,' but nowhere we are told, in listory or revelation, that there is anght of sefery in a multitude of rulers. Any 'rule of action,' sometimes called the 'law,' is better than a multitude of contiett g, irreconcilable statues. Any one head is better than forty, each of which may conceive itself the nonparell, par excellence, supreme 'caput' of all civil and military affairs.

"Let Governor Harris be king, if need be, and Baugh a despot."

"Let Governor Harris be king, if need be, and Baugh a despot."

"Let Governor Harris be king, and Baugh a despot," says The Bulletin. Who is Baugh The Mayor of Memphis. The mob reign of terror gotten up under this doctrine of Secession is so great that we find they are appealing to the one-man power. They are even willing to make the Mayor of the city a despot, and Isham G. Harris, a little petty Governor of Tennessee, a king. He is to be made king over the State that contains the bones of the immortal, the fillustrious Jackson. Isham G. Harris a king! Or Jeff. Davis a dictator, and Isham G. Harris one of his satraps. He a king over the free and patriotic people of Tennessee! Isham G. Harris to be my king. Yes, Sir, my king! I know the man. I know he elements. I know the ingre ients that constitute the compound called Isham G. Harris. King Harris to be my master, and the master of the people that I have the proud and conscious satisfaction of representing on this floor! Mr. President, he should not be my slave. [Applause in the galleries.]

Mr. President, he should not be my slave. [Applause in the galleries.]

The PRISIDENT pro tempore. Order! A repetition of the offense will compel the Chair to order the galleries to be cleared forthwith. The order of the Senate must and shall be preserved. No demonstrations of applause or disapprobation will be allowed. The Chair hopes not to be compelled to resort to the extremity of clearing the galleries of the audience.

Mr. JOHNSON of Tempescee—I was proceeding with this line of argument to show that in the general proposition that there was a fixed determination to change the character and pature of the Government, the San-

osition that there was a fixed determination to change the character and nature of the Government, the Sanator from Kentucky and myself agree, and so far I think I have succeeded very well. And now, when we are looking at the elements of which this Southern Confederacy is composed, it may be well enough to examine the principles of the elements out of which a government is to be made that they prefer to this. We have shown, so far as the Slavery question is concerned, that the whole question is settled, and it is new shown to the American people and the world that the people of the Southern States have now got no new shown to the American people and the world that the people of the Southern States have now got no right which they said they had lost before they went out of this Union; but, on the contrary, many of their rights have been diminished, and oppression and ty-ranny have been inaugurated in their stead. Let me ask you, Sir, and let me ask the nation, what right has any State in this so-called Confederacy lost under the Constitution of the United States? Let me ask each individual citizen in the United States, what right has he lost by the continuance of this Government based on the Constitution of the United States? Is there a man North or South, East or West, who can put his man North or South, East or West, who can just missinger on one single privilege, or one single right, of which he has been deprived by the Constitution or Union of these States? Can he do it? Can ne touch it? Can he see it? Can he feel it? No, Sir; there is no one right that he has lost. How many rights and privileges, and how much protection have they lost by going out of the Union, and violating the Constitution of the United States?

is no one right that he has lost. How many rights and privileges, and how much protection have they lost by going out of the Union, and violating the Constitution of the United States?

Pursuing this line of argument in regard to the formation of their Government, let us take South Carolina, for instance, and see what her notions of government are. She is the leading spirit, and will constitute one of the master elements in the formation of this proposed Confederate Government. What qualifications has South Carolina affixed upon members of her Legalature. Let us ree what are her notions of government—a State that will contribute to the formation of the Government that is to exist hereafter. In the Constitution of South Carolina it is provided that

"No person shall be eligible to a seat in the House of Representatives unless he is a free white man, of the age of twenty one years, and hath here a citizen and resident of this State three years previous to his election. If a resident in the election district, he shall not be eligible to a seat in the House of Representatives unless he be legally selsed and possessed, in his own right, of a settled freehold estate of five hundred acres of fand and ten negroes."

This is the notion that South Carolina has of the necessary qualifications of a member of the lower branch of the State Legislature. Now, I desire to ask the distinguished Senator from Kentucky—who seems to be so tennacious about compromises, about rights and about the settlement of this question, and who can discover that the Constitution has been violated so often and so flagrantly by the Administration now in power, yet never can see that it has been violated anywhere else—if he desires to seek under this South Carolina Government for his lost rights? I do not intend to be personal. I wish he were in his seat, for he knows that I have the greatest kindness for him. I am free to say, in connection with what I am about to observe, that I am a little selish in this; because if I lived in South Carolina effi

Carolina, in order to ascertain what are her principles of government, what do we find? We find it provi-ded that, in the apportionment of these representatives, the whole number of white inhabitants is to be divided by sixty-two, and every sixty-second part is to have one member. Then all the taxes are to be divided by sixty-two, and every sixty-second part of the taxes sixty-two, and every sixty-second part of tenders is to have one member also. Hence we see that slaves, constituting the basis of property, would get the larg-est amount of representation; and we see that prop-erty goes in an unequal representation to all the num-bers, while those numbers constitute a part of the prop-erty-holders. That is the basis of their representa-

Sir, the people whom I represent desire no such Sir, the people whom I represent desire no such form of government. Not withstanding they have been borne down; not withstanding there has been an army of 55,000,000 of money has been appropriated to be expended against the Union; and not withstanding the arms manufactured by the Government, and distributed among the States for the protection of the people, have been denied to them by this little petty tyrant of a king, and are now tarned upon the Government for its overthrow and destruction, those people, when left to themselves to carry out their own government and the honest dictates of their own consciences, will be found to be opposed to this revolution.

Mr. President, while the Congress of the Confederate States was engaged in the formation of their Constitu-

Mr. Fresuent, while the Congress of the Confederate States was engaged in the formation of their Constitu-tion, I find a protest from South Carolina against a decision of that Congress in relation to the slave-trade, in The Charleston Mercury of Feb. 13. It is written by L. W. Spratt to "the Hon, John Perkins, delegate

by L. W. Spratt to "the Hon. John Perkins, delegate from Louisiana." It begins in this way:

"From the abstract of the Constitution for the Provisional Government, published in the papers this morning, it appears that the slave-trade, except with the Slave States of North America, shall be prohibited. The Congress, therefore, not content with the laws of the late United States against it, which it is to be presumed, were readopted, have uniterably fixed the subject, by a provision of the Constitution."

He goes on and protests. We all know that that He goes on and protests. We all know that that Constitution is made for the day, just for the time being, a mere tub thrown out to the whale, to amuse and entertain the public mind for a time. We know this to be so. But in making his argument, what does he say? Mr. Spratt, a Commissioner who went to Florida, a member of the Convention that took the State of South Carolina out of the Union, says in this protest. protest:

of is now in the formation of a slave republic. This "The South is now in the formation of a slate republic. This perhaps, is not admitted generally. There are many contented to believe that the South, as a geographical section, is in mere assection of its independence; that it is inclined with no especial trush—prognant of no distinct social nature; that for some anneced countable reason the two sections have become opposed to each other; that for reasons equally insufficient, there is disagreement between the people that direct them, and that from no overruling necessity, no impossibility of consistence, but as mere mat ter of policy, it has been capsidered best for the South to strike out for herself, and establish as independence of her own. This I fear, is an inadequate conception of the controversy."

This indicates the whole scheme.

This indicates the whole scheme.

"The contest is not between the North and South as geograph is a jections, for between such sections merely there can see no contest; for between the people of the North and the people of the South, for our relations have been pleasant; and on neutral grounds there is still northing to estrange us. We set together, tade together, and practice yet, in intercurse, with are a respect, the courtestess of common Bie. But the real contest is between the two forms of society which have become established, the one at the Rorth, and the other at the South."

The protest continues:

between the two forms of society which have become established, the one at the Rorth, and the other at the South."

The protest continues:

"With that perfect economy of resources, that just application
of power, that concentration of forces, that seemity of order
which results to Slavery from the permanent direction of its
best intelligence, there is no other form of human labor that can
stand against it, and it will build itself a home, and erect for itself
at some point within the present labelts of the Southern States,
a structure of importal power and grandeor—a glorious confederacy of States that will sand sioft and scene for ages, and the
anarchy of democracles that will red around it."

"But it may be that to this end another revolution may be
necessary. It is to be apprehended that this contest between
Democracy and Slavery is to ty over. It is erasin that beth
forms of society exist within the limits of the Southern States,
both are distinctly developed within the limits of Viginia;
and there, whether we perceive the fact or not, the
war aircady rages. In that State there are about five
hundred thousand slaves to about one million of whites;
and as at least as many slaves as masters are necessary to
the constitution of slave society, about 500,000 of the white population are in legitimate relation to the slaves, and the rest are in
excess."

Hence we see the propriety of Mr. Mason's letter, in which he declared that all those who would not vote for Secession must leave the State, and thereby you get clear of the excess of white population over alayes. They must emigrate.

"Like an excess of sikali or soid in chemical experiments,

they are unfixed in the social compound. Without legitimate connection with the slave, they are in competition with him."

The protest continues:

"And even in this State (South Carolina), the ultimate result is not determined. The slave condition here would seem to be established. here is here an excess of 120,00 slaves, and here is failly exhibited the normal nature of the institution. The officers of the State are slave-owners, and the representatives of slave-owners. In their public acts they exhibit the conselousness of a superior position. Without unusual individual ability, they exhibit the conselousness of a superior position. Without unusual individual ability, they exhibit the conselousness of a superior position. Without unusual individual ability for they is no mass to appeal to, there are no demagages, for there is no measure or appeal to the mass, for there is no measure or appeal to the them. In the state of the

and when there is cause to act upon the fortunes of our social institution, there is perhaps an unusual readiness to meet in."

Again:

"It is probable that more abundant pupper labor may pour in, and it is to be feared that, even in this State, the purset in its slave condition, democracy may gain a footheld, and that here also the contest for existence may be waged between them. It thus appears that the contest is not ended with a dissolution of the Union, and that the sents of that contest still exist within the limits of the Southern States. The causes that have contributed to the deseat of Slavery still occur; our slaves are still drawn off by higher prices to the West. There is still forwing the property of the still forward of the still still forward of the still still forward of the still

end."

"If in short, you shall own Slavery as the source of your authority, and not for it, and erred, as you are commissioned to erect, not only a Southern, but a slave republic, the work will be accomplished."

"But if you shall not; if you shall commence by ignoring Slavery, or shall be content to edge it on by indirection; if you shall exhibit care but for the republic, respect but a democracy; if you shall stipulate for the toleration of Slavery as an existing oril, by admitting assumptions to its prejudice, and restrictions to its power and progress, you relanguage the blunder of 1789; you will combine States, whether true or not, to Slavery; you will each no tests of sixth; some will find it to their interest to abandon it; slave labor will be fettered; hireling labor will be free; your Confederacy is again divided into antagonistic accidies; the irrepressible conflict is again commenced; and as Savery can sustain the structure of a stable Government and will sustain no structure but its own, another recolution comes; but whether in the order and propriety of this, is gravely to be doubted."

defeat it. It is doubtful if another movement with be as pency(a.) In this connection, let me read the following paragraph from De Bow's Review:
"All government begins by unarpution, and is continued by force. Nature puts the roling elements upperment, and the masses below and subject to those elements. Less than this is not government. The right to govern resides in a very small miscrity the duty to obey is inberent in the great mass of mankind." ankind."
We find by an examination of all these articles that

minimity the duty to obey is inherent in the great mass of mankind."

We find by an examination of all these articles that the whole idea is to establish a republic based upon Slavery exclusively, in which the great mass of the people are not to participate. We find an argument made here against the admission of non-slaveholding States into their Confederacy. If they refuse to admit a non-laveholding State into the Confederacy, for the very same reason they will exclude an individual who is not a slaveholder, in a slaveholding State, from participating in the exercise of the powers of the Government. Taking the whole argument through, and that is the plain meaning meaning of it. Mr. Spratt says that sooner or later it will be done; and if the present revelation will not accomplish it, it must be brought about even if another revolution has to take place. We see, therefore, that it is most clearly contemplated to change the character and nature of the Government so far as they are concerned. They have lost confidence in the integrity, in the capability, in the virtue and intelligence of the great mass of the people to govern. Sir, in the section of the country waver I live, notwithstanding we reside in a slave State, we believe that fir emen are capable of self-government. We care not in what shape their property exists; whether it is in the shape of slaves or otherwise. We hold that it is upon the intelligent free white people of the country that all Governments should rest, and by them all Governments should be controlled.

I think, therefore, Sir, that the President and the Senator from Kentucky have stated the question aright. This is a struggle between two forms of government. It is a struggle for the existence of the Government we have. The issue is now fairly made up. All who favor free government must stand with the Constitution, and in favor of the Union of the States as it is. That Union being once restored, the Constitution again becoming supreme and paramount, when peace, law, and order shall be rest

We have heard a great deal said in reference to We have heard a great deal said in reference to the violation of the Constitution. The Senator from Kentucky seems exceedingly geneitive about violations of the Constitution. Sir, it seems to me, admitting that his apprehensions are well founded, that a violation of the Constitution for the preservation of the Government, is more tolerable toan one for its destruction. In all these complaints, in all these arraignments of the present Government for violation of law and disregard of the Constitution, have you heard, as was forcibly and eloquently said by the Senstor from Illinois [Mr. Browning] before me, one word uttered against violations of the Constitution and the trampling under foot of law by the Senstey or the party, now making war upon the Government. is to have of the party, now making war upon the Government of divided by

The Sepator enumerates what he can the Constitution—the suspension of the corpus, the proclaiming of martial law, the increase of the Army and Navy, and the existing war; and then he asks, "Why all this?" The answer must be apparent to all.

But first, let me supply a chronological table of

events on the other side: December 27. Fort Moultrie and Castle Pinckney,

at Charleston, seized.

December 7. The revenue cutter William Aiken surrendered by her commander, and taken possession

f by South Carolina. December 30. The United States Arsenal at Charleston seized.

January 2. Forts Pulaski and Jackson, and the
United States Arsenal at Savannah, seized by Georgia

January 2. Fort Macon and the United States arsenal

January 2. Fort Macon and the United States are nal at Fayetteville seized by North Carolina. January 4. Fort Morgan and the United States arsenal at Mobile seized by Alabama. January 8. Forts Johnson and Caswell, at Smith-ville, seized by North Carolina; restored by order of Gov. Ellis.

Gov. Ellis.

January 9. The Star of the West, bearing reënforcements to Major Anderson, fired at in Charleston

harbor.

January 12. Fort McRae, at Pensacola, seized by Florida.

January 10. The steamer Marion seized by South Carolina; restored on the 11th.

January 11. The United States arsenal at Baton Rouge, and Forts Pike, St. Philip, and Jackson, seized by Louisiana.

y Louisiana.

January 11. Fort Barraneas and the navy-yard at Pen-acola seized by Florida.

These forts cost \$5,947,000, are pierced for 1,099 guns, and are adapted for a wargarrison of 5,430 men.

We find, as was shown here the other day, and as

guns, and are adapted for a wargarrison of 5,430 men.

We find, as was shown here the other day, and as has been shown on former occasions, that the State of South Carolina seceded, or attempted to secede, from the confederacy of States without cause. In seceding, her first step was a violation of the Constitution. She seceded on the 20th of last December, making the first innovation and violation of the law and the Constitution. She seceded on the 20th of last December, making the first innovation and violation of the law and the Constitution of the country. On the 27th day of December what did she do? She seized Fort Moultrie and Castle Pinckney, and caused your little band of sixty or seventy men under the command of Major Anderson to retire to a little pen in the ocean—Fort Sunter. She commenced creeting batteries, arraying cannon, preparing for war; in effect, proclaiming herself as once our enemy. Seceding from the Union, taking Fort Moultrie and Castle Pinckney, driving your men in fact into Fort Sunter, I say were practical acts of war. You need not talk to me about technicalities, and the distinction that you have got no war fill Congress decharps it. Congress could legalize it, or could make war, its true; but that was practical war. Who began it? Then, Sir, if South Carolina secedes, withdraws from the Union, becomes our common enemy, is it not the duty, the capstitutional duty of the Government and of the President of the United States to make war, or to resist the attacks and assaults made by an enemy? Is she not as much caryenemy as Great Britain was in the revolu-

constitutional duty of the Government and of the President of the United States to make war, or to resist the attacks and assaults made by an enemy? Is she not as much our enemy as Great Britain was in the revolutionary stanggle? Is she not to-day as much our enemy as Great Britain was during the war of 1812?

In this connection, I desire to read some remarks made by the Senator from Missouri (Mr. Polk) in his speech the other day, in regard to this general idea of who made the war.

"This has all Seen brought about since the adjournment of the last Congress—since Are the of March; indeed, since the 18th of last Congress was "that Congress shall be authorized to declare war," and yet, Sir, theugh Congress has declared no war, we are in the mides of a war more attous in its character, and hugely monatrous in its proportions. That war has been brought on by the President of the United States have the since the 4th of March, of his own wreen it and under what circumstances Before the close of the last Congress, as early as the month of Before the close of the last Congress as saming A and under what circumstances of the index of the last Congress, an saming A see had seceded from the Union of the last Congress made no declaration of the 18th Legis the close of the last Congress made no declaration of war; the last Congress made no declaration of eccling on the 18th of April; and yet the last Congress made no begin and the 18th of April; and yet the last Congress made no begin and the 18th of April; and yet the last Congress made no begin and the 18th of April; and yet the last Congress made no begin and the 18th of April; and yet the last Congress made no begin and the 18th of April; and yet the last Congress made no begin and the 18th of April; and yet the last Congress made no begin and the 18th of April; and yet the last Congress made no legislation estimates the carry a the war; the last Congress and the 18th of April; and yet the last Congress made no legislation estimates the carry at the last Congress and t

legalize."

The senator fron Kentucky (Mr. Powell) spoke in similar language. Muding to the refusal of Kentucky to respond to the first call of the President for seventy-

done at all; and hence-being devoted truly to the Union, she desires measures of peaceto be presented for the adjustment of our difficulties."

I desired in thi connection to place before the Senate the remains of both the Senators from Kentucky and the Senator from Missouri, and to answer them at the same time. The senator from Missouri says the var was brought on since the 4th of March by the Presient of the United States of his own motion. The Senator from Kentucky (Mr. Powell) pronounces it an unust, an unrighteous, and an unholy war. But, Sir, I communed enumerating the facts

But, Sir, I commenced enumerating the facts with the view of showing who commenced the war. How do they stand? I have just stated that South Carolina seconded—withdrewfrom the Confederacy; and in the very act of withdrawing, she makes practical war upon the Government and becomes its enemy. The Star of the West, on the?th of January, laden simply with provisions to supply those starving men at Fort Sumter, attempted to eiter the barbor, and was fired upon, and had to tack about, and leave the men in the fort to perish or do the best they could. We also, find that on the 11th of Apri, General Beauregard had an interview with Major Anderson, and made a proposition to on the 11th of Apri, General Beauregard had an interview with Major Anderson, and made a proposition to him to surrender. Injor Anderson stated, in substance, that he could do nesuch thing; that he could not strike the colors of his country, and refused to surrender; but hesaid, at the same time, that by the 15th of the month his provisions would give out, and if not reenforced and supplied starration must take place. It seems that at this time Mr. Pryor, from Virginia, was in Charleston. The Convention of Virginia was sitting, and it was important that the cannon's roar should be heard in the land. Virginia was to be taken out of the Union, although a majority of the delegates in the Convention were elected against Secession, and in favor of the Union. We find that after being in possession of the fact that by the 15th of the month the garrinon would be starved out and compelled to surrender, on the morning of the 12th they commenced the bembardment, fired upon the fort and upon your men. They knew that in three days they commenced the bembardment, fired upon the fort and upon your men. They knew that in three days they would be compelled to surrender, but they wanted war. It was indispenseble to produce an excitement in order to hurry Virginia out of the Union, and they commenced the war. The firing was kept up until such time as the fort was involved in smoke and flames, and Major Anderson and his men were compelled to lie on the floor with their wet handkerchiefs to their faces to save them from suffocation and death. Even in the midst of all this, they refused to cease their firing, but kept it up until he was compelled to surrender.

firing, but kept it up until be was compelled to surrender.

Who, then, commenced the war? Who struck the
first blow? Who violated the Constitution in the first
place? Who trampled the law under foot, and violated the law morally and legally? Was it not South
Carolma in seceding? And yet you talk about the
President having brought on the war by his own motion, when these facts are incontrovertible. No one
dare attempt to assail them. But after Fort Sumter
was attacked and surrendered, what do we find stated
in Montgomery when the news reached there? Here
is the telegraphic announcement of the reception of
the news there:

"MONTGERRY, Friday, April 12, 1861.

"An immense crowd serenaded Prevident Davis and Secretary

the news there:

"Montonen of the reception of the reception of the news there:

"An immense crowd serenaded President Davis and Secretary Walker, at the Exchange Hotel to-night."

Mr. Davis refused to address the audience, but his Secretary of War did. The Secretary of War, Mr. Walker, said:

"No man could tell where the war this day commenced would end, but he would prophesy that the flag which now faunts the breaze here would float over the dome of the old Capitol, at Washington, before the list of May. Let them try Southern chivalty and test the extent of Southern resources, and it might float overthailty over Faucult Hall itself."

What is the announcement! We have attacked Fort Sumter and it has surrendered, and no one can tell where this war will end. By the 1st of May our flag will wave in triumph from the dome of the old Capitol at Washington, and ere long perhaps from Faucult Hall itself and the President on his own motion! You say the President of the United States did wrong in ordering out 75,000 men, and in increasing the Army and Navy under the exigency. Do we not know, in connection with these facts, that so soon as Fort Sumter surrendered they took up the line of march for Washington! Do not some of us who were here know that we did not even go to bed very confidently and securely, for fear the city would be taken before the rising sun! Has it not been published in the Southern newspapers that Ben McCalloch was in readiness, with 5,000 picked men, in the State of Virginia, to make a descent and attack the city, and take it!

What more do we find! We find that the Congress

What more do we find? We find that the Congress of this same pseudo-republic, this same Southern Con-federacy that has sprung up in the South, as early as the 6th of March passed a law preparing for this inva-sion—preparing for this war which they commenced. Here it is:

America in the curve the public tranquillity and independence against threatened assumt, the Fresident be, and he is hereby authorized to employ the militia, military, and haval forces of the Confederate States of America, and ask for and accept the services of any number of velunteers, not exceeding one hundred thought

When your forts were surrendered, and when the President of the so-called Southern Confederacy was authorized to call out the entire militia, naval, and military force, and then to receive in the service of the Confederate States one hundred thousand men, the President calls for seventy-five thousand men, the President calls for seventy-five thousand men to defend the capital and the public property. Are we for the Government, or are we against it? That is the question. Taking all the facts into consideration, do we not see that an invasion was intended? It was even announced by Mr. Iverson upon this floor that ere long their Congress would be sitting here, and this Government would be overthrown. When the facts are all put together we see the scheme, and it is nothing more nor less than executing a programme deliberately made out; and yet Senators hesitate, falter, and complain, and say the President has suspended the writ of habeas corpus, increased the Army and Navy, and they ask, where was the necessity for all this? With your forts taken, your men fired upon, your ships attacked at sea, and one hundred thousand men called into the field by this so-called Southern Confederacy, with the additional authority to call out the entire military and naval force of those States, Senators talk about the enormous call of the President for seventy-five When your forts were surrendered, and when the the additional authority to call out the entire military and naval force of those States, Senators talk about the enormous call of the President for seventy-five thousand men and the increase he has made of the army and navy. Mr. President, it all goes to show, in my opinion, that the sympathies of Senators are with the one Government and against the other. Admitting that there was a little stretch of power; admitting that the margin was pretty wide when the power was exercised, the query now comes, when you have got the power, when you are sitting here in a legislative attitude, are you willing to sustain the Government and give it the means to sustain itself? It is not worth while to talk about what has been done before. The question on any measure should be, is it necessary now? If it is, it should not be withheld from the Government.

Government.

Senators talk about violating the Constitution and the laws. A great deal has been said about searches and seizures, and the right of protection of persons and the right of protection of persons and the right of protection of persons and the right of prothe laws. A great deal has been said about searches and seizures, and the right of protection of persons and of papers. I reckon it is equally as important to protect a Government from seizure as it is an individual. I reckon the moral and the law of the case would be just as strong in seizing upon that which belonged to the Federal Government as it would upon that belonging to an individual. What belongs to us in the aggregate is protected and maintained by the same law, moral and legal, as that which applies to an individual. These rebellions States, after commencing this war, after violating the Constitution, seized our forts, our arsenals, our dockyards, our custom-houses, our public buildings, our ships, and last, though not least, plundered the independent treasury at New-Orleans of \$1,000,000. And yet Senators talk about violations of the law and the Constitution. They say the Constitution is disregarded, and the Government is about to be overthrown. Does not this talk about violations of the Constitution and the law come with a beautiful grace from that side of the House? I repeat again, Sir, are not violations of the Constitution necessary for its protection and vindication more tolerable than the violations of that sacred instrument aimed at the overthrow and destruction of the Government? We have seen instances, and other instances might occur, where it might be indispensably necessary for the Government to exercise a power, and to assume a position that was not clearly legal and coninstances might occur, where it might be indispensionly necessary for the Government to exercise a power, and to assume a position that was not clearly legal and constitutional, in order to resist the entire overthrow and unturning of the Government and all our institutions.

But the President issued his proclamation. When did he issue it, and for what? He issued his proclamation calling out seventy-five thousand men after the

did he issue it, and for what? He issued his proclama-tion calling out seventy-live thousand men after the Congress of the so-called Southern Confederacy, had passed a law to call out the entire militia, and to re-ceive into their service one hundred thousand men. The President issued his proclamation after they had taken Fort Moultrie and Castle Pinckney; after they

NEW-YORK DAILY TRIBUNE, MONDAY, AUGUST 12, 1861.

had fired upon and reduced Fort Sumter. Fort Sumter was taken on the 12th, and on the 15th he issued has proclamation. Taking all these circumstances together, it showed that they intended to advance, and that their object was to extend their power, to subjugate the other States, and to overthrow the Constitution and the laws and the Government. Senators talk about violations of the Constitution. Have you heard any intimation of complaint from those Senators about this Southern Confederacy—this band of traitors to their country and country's institutions? I repeat, substantially, the language of the Senator from Illimois (Mr. Browning): "Have you heard any complaint or alarm about violations of constitutional law on the other side? Oh, no! But we must stand still; the Government must not move while they are moving with a hundred thousand men; while they have the power to call forth the entire militia and the army and the navy. While they are reducing our forts, and robbing us of our property, we must stand still; the Constitution and the laws must not be violated; and an robbing us of our property, we must stand still; the Constitution and the laws must not be violated; and an

constitution and the laws must not be violated; and an arraignment is made to weaken and paralyze the Government in its greatest peril and trial."

On the 15th of April, the proclamation was issued calling out seventy-five thousand men, after the Confederate States had authorized one hundred thousand men to be received by their President—this man Davis, who stood up here and made a retiring speech—a man educated and nurtured by the Government; who sucked its pap; who received all his military instruction at the hands of this Government; a man who got all his distinction, civil and military, in the service of this Government, beneath the Stars and Stripes, and then, without cause—without being deprived of a single right or privilege—the sword he unsheathed in viadication of that flag in a foreign land, given to him by the hand of his cherishing mother, he stands this day prepared to plunge into her bosom. Such men as these have their apologists here in Congress to excuse and extennate their acts, either directly or indirectly. You never hear from them of law or Constitution being violated down there. Oh, no; that is not mentioned.

On the 15th, the President issued his proclamation oned.
On the 15th, the President issued his proclamation

and extensible their acids, either directly or indirectly. On never hear from them of law or Constitution of the pendent from them of laws and the construction calling seventy-dive thousand men into the service of David Praident of the Southern Consciency, is med a repriral, and the southern of the southern Consciency, is med repriral, and the south of the theorem Consciency is mediator for the Posthern Consciency, is mediator of the United States, he, in violation of the Constitution of the David Branch of the States of all their property wirecever it can be picked with the constitution of the Cons

borne down and tyrannized over, and who have had laws of treason passed against them in their own States and threatened with confiscation of property, shall be protected. I say it is the puramount duty of this Government to assert its power and maintain its integrity. I say it is the duty of this Government to protect those States, or the loyal citizens of those States, in the enjoyment of a republican form of government, for we have seen one continued system of usurpation carried on from one end of these Southern States to the other, disregarding the popular judgment, disregarding the popular indigment, disregarding the popular will, setting at defiance the judgment of the people, disregarding their rights, paying no attention to their State Constitutions in any sense whatever. We are bound, under the Constitution, to protect those States and their citizens. We are bound to guarantee to them a republican form of government; let the delusion be dispelled, let the dream pass away, and let the people of the United States and the nations of the earth know at once that we have no Government. If we have a Government, based on the intelligence and virtue of the American people, let that great fact be now established, and once established, this Government will be on a more enduring and permanent basis than it ever was before. I still have confidence in the integrity, the virtue, the intelligence, and the patriotism of the great mass of the people; and so believing, I intend to stand by the Government of my fathers to the bast extremity.

the people; and so believing, I intend to stand by the Government of my fathers to the last extremity.

In the last Presidential contest I am free to say that I took some part. I advocated the pretensions and claims of one of the distinguised sons of Kentucky, as a Democrat. I am a Democrat to-day; I expect to die a Democrat. I am a Democrat to-day; I expect to die one. My Democracy rests upon the great principle I have stated; and in the support of measures I have always tried to be guided by a conscentious conviction of right; and I have laid down for myself, as a rule of action in all doubtful questions, to pursue principle; and in the pursuit of a great principle I can never reach a wrong conclusion. I intend, in this case, to pursue principles I am a Democrat, believing the principles of this Government are Democratic. It is based upon the Democratic theory. I believe Democracy can stand, not withstanding all the taunts and jeers that are thrown at it throughout the Southern Confederacy. The principles which I call Democracy—I care not by what name they are sustained, whether by Republicans, by Whigs, or not—are the

jeers that are thrown at it throughout the Southern Confederacy. The principles which I call Democracy—I care not by what name they are sustained, whether by Republicans, by Whigs, or not—are the great principles that he at the foundation of this Government, and they will be maintained. We have seen that so far the experiment has succeeded well; and now we should make an effort, in this last ordest through which we are passing, to crush out the fatal doctrine of Secession and those who are cooperating with it in the shape of rebels and traitors.

I advocated the professions of a distinguished son of Kentucky at the late election, for the reason that I believed he was a better Union man than any other candidate in the field. Others advocated the claims of Mr. Bell, believing him to be a better Union man; others those of Mr. Doughas. In the South we know that there was no Republican ticket. I was a Union man then; I was a Union man in 1833; I am a Union man now. And what has transpired since the election in November last that has produced sufficient cause to break this Government? The Senator from California enumerated the facts up to the 25th day of May, 1860, when there was a vote taken in this body for the protection of slave property in the Territories. Now, from the 6th of November up to the 20th of December, tell me what transpired of sufficient cause to break up this Government? Was there any innovation, was there any additional step taken in reference to the institution of Slavery? If the candidate whose claims I advocated had been elected President—I speak of him as a candidate, of course notmeaning to be personal—I do not believe this Government would have been broken up. Why? Because those who advocated the pretensions of Mr. Lincoln would have done as all parties have done heretofore; they would have yielded to the high behast of the American people. been broken up.
cated the pretensions of Mr. Lincoln would have
as all parties have done heretofore; they would have
yielded to the high benest of the American people.
Then, is the mere defeat of one man, and the election

of another, according to the forms of law and the Constitution, sufficient cause to break up this Government? No; it is not sufficient cause. Do we not know, too, that if all the secoding Senators had stood here as faithful sentinels, representing the interests of their States, they had it in their power to check any advance that might be made by the incoming Adoinistration. I showed these facts, and enumerated them at the last session. They were shown here the other day. On the 4th of March, when President Lincoln was loangurated, we had a m jority of six upon this floor in opposition to his Administration. Where, then, is there even a pretext for breaking up the Government upon the idea that he would have encroached upon our rights? Does not the nation know that Mr. Lincoln could not have made his Cabinet without the consent of the majority of the Senate? Do we not know that he could not even have sent a minister abroad without the majority of the Senate confirming the nomination? Do we not know that if any minister whom he sent abroad should make a treaty immical to the institutions of the South, that treaty could not have been ratified without a majority of two-thirds of the Soute. ? of another, according to the forms of law and the Constitution, sufficient cause to break up this Govern

ter whom he sent abroad should make a treaty intmical to the institutions of the South, that treaty could not have been ratified without a majority of two-thirds of the Senate?

With all these facts staring them in the face, where is the pretense for breaking up the Government? Is it not clear that there has been a fixed purpose, a settled design to break up the Government and change the nature and character and whole senius of the Government itself? Does it not prove conclusively, as there was no cause, that they simply selected it as an occasion that was favorable to excite the prejudices of the South, and thereby enable them to break up this Government and establish a Southern Confederacy?

Then when we get at it, what is the real cause? If Mr. Breckinridge, or Mr. Davis, or some other favorite of those who are now engaged in breaking up the Government, had been elected President of the United States, it would have been a very nice thing; they would have been a very nice thing; they would have been a very nice thing; they would have been a very nice thing to be a conding to law and the Constitution. Then, as all parties had done heretofore, it was the duty of the whole people to acquiesce; if he made a good President, sustain him; if he became a bad one, condemn him; if he violated the law and the Constitution impeach him. We had our remedy under the Constitution and in the Union.

What is the real cause? Disappointed ambition; an unballowed ambition. Certain men could not wait any longer, and they seized this occasion to do what

departure from the Constitution, (putting it on his own ground), or an entire overthrow of the Government? Are there no advances, are there no inroads, being made to-day upon the Constitution and the existence of the Government itself? Let us look at the question plainly and fairly. Here is an invading army almost within cannon shot of the Capital, headed by Jeff. Davis and Beauregard. Suppose they advance on the plainly and fairly. Here is an invading army sime-st within cannon shot of the Capital, headest oy seif. Davis and Beauregard. Suppose they advance on the city to-night; subjugate it; depose the existing authorities; expel the present Government: what kind of Government have you then? Is there any Constitution in it? Is there any law in it? The Senator can stand here almost in sight of the enemy, see the chance of freedom, the Constitution, trampled upon, and there is no apprehension; but he can look with an engle eye, and, with an analytic process almost unsurpassed, discriminate against and attack those who are trying to manage your Government for its safety and preservation. He has no word of condemnation for the invading army that threatens to overthrow the Capital, that threatens to trample the Constitution and the law ander foot. I repeat, suppose Davis, at the head of his advancing columns, should depose your Government and expel your authority; what kind of Government will you have? Will there be any Constitutions. He told us the Constitution was the measure of power, and that we should understand and feel constitutional restraints; and yet when your Government, is perhaps within a few hours of being overthrow, and in a law within a few hours of being overthrow, and in a law within a few hours of being overthrow, and in a law restraints; and yet when your Government is perhaps within a few hours of being overthrown, and the law and Constitution trampled under foot, there are no ap-prehensions on his part; no words of rebuke for those who are endeavoring to accomplish such results.

The Old Dominion has got the brunt of the way npon her hands. I sympathize with her most deerly, and especially with the loyal portion of her citizens,

who have been brow-beaten and domineered over.

Now the war is transferred to Virginia, and her plains are made to run with blood; and when this is secured, what do we hear in he far South? Howell Cobb, another of these disinterested patriots, said not long since, in a speech in Georgia:

since, in a speech in Georgia:

"The people of the gulf States used have no apprehensions; they might go on with their planting and their other bulliuss we usual; the war would not come to their section; its theater would be along the borders of the Ohio River and in Virginia."

Virginia ought to congratulate herself upon that position, for she has got the war. Now they want to advance. Their plans and designs are to get across into Maryland, and carry on a way of subjugation. There is wonderful alarm among certain gen-lemen here at the term "subjugate." They are alarmed at the idea of making citizens who have violated the law simply conform to it by enforcing their obedience. If a maof making citizens who have violated the law simply conform to it by enforcing their obedience. If a nasjority of the citizens in a State have violated the Constitution, have trampled it under foot, and violated the law, is it subjugation to assert the supremacy of the Constitution and the law? Is it any more than a simple enforcement of the law? It would be one of the best subjugations that could take place if some of them were subjugated, and brought back to the constitutional position that they occupied before. I would to God that Tennessee stood to-day where she did three months ago.

to God that Tennessee stood to-day where she did three months ago.

Mr. President, it is provided in the Constitution of the United States that "no State shall, without the consent of Congress, lay any duty of tunninge, keep troops or ships of war in time of peace, enter hat o any agreement or compact with another State, or with a foreign Power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delay." The State authorities of Tennessee, before her people had even voted upon an ordinance to separate her from the Union, formed a league by which they transferred 55,000 men, the whole army, over to the Confederate States for the purpose of prosecuting their war. Is it not strange that such a paliable violation of the Constitution should not be referred to and condemned by any one? Here is a member of the Union, without even having the vote taken upon an ordinance of separation or secession, forming an ordinance of separation or secession, forming an ordinance of separation or secession, forming a league, by its commissioners or ministers, and handing over 55,000 men to make war upon the Government of